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**IN THE SIXTH CIRCUIT COURT FOR DAVIDSON COUNTY
TENNESSEE AT NASHVILLE**

In re:

**BRIDGESTONE/FIRESTONE TIRE
LITIGATION**

**Case No. 01 MD 2
Judge Brothers**

ALL CASES

FILED
2003 FEB -4 PM 2:47
RICHARD R. ROONEY, CLERK
D.C.
R. Rooney

**ORDER REGARDING FIRESTONE'S MOTION TO
REQUIRE PLAINTIFFS TO PRODUCE NON-PARTY
FACT WITNESSES IN TENNESSEE FOR DEPOSITION**

Defendant Firestone has filed a motion asking the Court to require the Plaintiffs to bring the non-party fact witnesses in these cases to Tennessee for deposition. Oral argument was held on this matter on January 13, 2003. Based upon the arguments of counsel, and matters of record in this case, the Court ORDERS as follows:

1. As to non-party fact witnesses who are not family members of the Plaintiffs, Plaintiffs shall not be required to bring such witnesses to Tennessee for deposition.
2. With respect to such witnesses, however, Plaintiffs shall continue to cooperate with Defendants in making such witnesses available at central locations in Mexico for deposition. Plaintiffs shall bear the expense of transporting such witnesses to the central locations for their depositions.
3. Plaintiffs also shall arrange for and provide video conference hookups at all such depositions in Mexico, such that defense counsel may participate in the depositions and ask questions by video conference if they so choose. The video conference arrangements shall include the capability to display documents by split screen, and the availability of a fax machine at the deposition location so that counsel who participate remotely can fax documents to be

examined by the witness during the course of the deposition. Plaintiffs shall bear all expenses incurred in connection with these video conference arrangements, excepting only the long distance telephone charges incurred by counsel who dial into the video conference deposition. Such arrangements shall be made by Plaintiffs unless it is demonstrated to the Court through affidavits or other record evidence submitted by the Plaintiffs that they are technologically infeasible or would subject the Plaintiffs to an extreme financial burden. Any party's counsel may attend in person, by video conference, or both, as they so choose.

4. The parties shall select a single Spanish/English translator to be the official translator for the depositions. This translator shall be brought from the United States along with a videographer and a court reporter. The cost of these services shall be split one-third to the Plaintiffs, one-third to Ford Company and one-third to the tire Defendants (Bridgestone and Firestone).

5. The Court reserves ruling on the admissibility against the Defendants at trial of all such depositions taken in Mexico.

Entered this ____ day of _____, 2003.



Thomas W. Brothers, Circuit Judge

APPROVED FOR ENTRY:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served, via the method(s) indicated below, on the following counsel of record, this the 14 day of January, 2003:

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